

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRENNAN McNALLY,	)	
	)	Civil Action No. 06 - 1104
Plaintiff,	)	
	)	
v.	)	Judge Terrence F. McVerry
	)	Magistrate Judge Lisa Pupo Lenihan
CLIENT SERVICES, INC., et	)	
al.,	)	
	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

The complaint in the above captioned case was received by the Clerk of Court on August 21, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (Doc. No. 88), filed on December 17, 2007, recommended that the Amended Complaint filed by Plaintiff Brennan McNally be dismissed as to Defendant Dennis Fears a/k/a Ryan Fears for failure to prosecute. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrate Judges, that they had ten (10) days to file any objections. No objections were filed to the Report and Recommendation (Doc. No. 88).

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 10th day of January, 2008:

**IT IS HEREBY ORDERED** that the Amended Complaint against Defendant Dennis Fears a/k/a Ryan Fears, is **DISMISSED WITH PREJUDICE** for failure to prosecute.

**IT IS FURTHER ORDERED** that the Report and Recommendation (Doc. No. 88) of Magistrate Judge Lenihan, dated December 17, 2007, is adopted as the opinion of the Court.

s/ Terrence F. McVerry  
United States District Judge

cc: Lisa Pupo Lenihan  
U.S. Magistrate Judge

All Counsel of Record  
*Via Electronic Mail*